



Issuance Date: August 25, 2005
Effective Date: September 1, 2005
Expiration Date: August 31, 2010

NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM
WASTE DISCHARGE PERMIT NO. WA0024546

State of Washington
DEPARTMENT OF ECOLOGY
Olympia, Washington 98504-8711

In compliance with the provisions of
The State of Washington Water Pollution Control Law
Chapter 90.48 Revised Code of Washington
and
The Federal Water Pollution Control Act
(The Clean Water Act)
Title 33 United States Code, Section 1251 et seq.

Lewis County Water District No. 2
(Onalaska)

P. O. Box 146

Onalaska, Washington 98570-0146

Plant Location: 1678 State Highway 508
Onalaska, Washington 98570

Receiving Water:
South Fork of the Newaukum River (RM 20.1)

Water Body I.D. No.:
WA-23-1090 (CPAN# 10-23-14)

Discharge Location:
Latitude: 46° 34' 14" N
Longitude: 122° 43' 38" W

Plant Type: Activated Sludge (Oxidation Ditch)

is authorized to discharge in accordance with the special and general conditions that follow.

Kelly Susewind, P.E., P.G.
Southwest Region Manager
Water Quality Program
Washington State Department of Ecology

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SUMMARY OF PERMIT REPORT SUBMITTALS

Refer to the Special and General Conditions of this permit for additional submittal requirements.

Permit Section	Submittal	Frequency	First Submittal Date
S3.	Discharge Monitoring Report	monthly	
S4.D	Inflow and Infiltration Evaluation	annually	April 15, 2006
S4.E	Wasteload Assessment	annually	April 15, 2006
S5.G.	Operations and Maintenance Manual (Update)	as necessary	
S6.B.	Residual Solids Management Plan	1/permit cycle	March 1, 2010
S7.	Outfall Evaluation	1/permit cycle	March 1, 2010
G1.	Notice of Change in Authorization	as necessary	
G7.	Application for permit renewal	1/permit cycle	March 1, 2010

SPECIAL CONDITIONS

S1. DISCHARGE LIMITATIONS

A. Effluent Limitations

All discharges and activities authorized by this permit shall be consistent with the terms and conditions of this permit. The discharge of any of the following pollutants more frequently than, or at a concentration in excess of, that authorized by this permit shall constitute a violation of the terms and conditions of this permit.

Beginning on the date of this permit and lasting through the expiration date, the Permittee is authorized to discharge municipal wastewater at the permitted location subject to the following limitations:

	EFFLUENT LIMITATIONS ^a	
Parameter	Average Monthly	Average Weekly
Biochemical Oxygen Demand ^b (5 day)	30.0 mg/L, 50.0 lbs/day 85 % Removal	40.0 mg/L, 66.7 lbs/day
Total Suspended Solids ^b	30.0 mg/L, 50.0 lbs/day 85 % Removal	40.0 mg/L, 66.7 lbs/day
Fecal Coliform Bacteria	200/100 mL	400/100 mL
pH ^c	Daily minimum is equal to or greater than 6 and the daily maximum is less than or equal to 9.	
Parameter	Average Monthly	Maximum Daily
Total Ammonia (as NH3-N)	6.2 mg/L, 10.4 lbs/day	14.1 mg/L, 23.6 lbs/day
^a The average monthly and weekly effluent limitations are based on the arithmetic mean of the samples taken with the exception of fecal coliform, which is based on the geometric mean.		
^b The average monthly effluent concentration for BOD5 and Total Suspended Solids shall not exceed 30 mg/L or 15 percent of the respective monthly average influent concentrations, whichever is more stringent.		

B. Mixing Zone Descriptions

The maximum boundaries of the mixing zones are defined as follows:

Not extend in a downstream direction for a distance from the discharge port(s) greater than three hundred feet plus the depth of water over the discharge port(s), or extend upstream for a distance of over 100 feet; **not utilize greater than 25 percent of the flow; and not occupy greater than 25 percent of the width of the water body.**

A zone of acute criteria exceedance shall singularly or in combination with other such zones comply with the following maximum size requirements:

Not extend beyond ten percent of the distance towards the upstream and downstream boundaries of an authorized mixing zone, as measured independently from the discharge port(s); **not utilize greater than 2 ½ percent of the flow; and not occupy greater than 25 percent of the width of the water body.**

S2. MONITORING REQUIREMENTS

A. Monitoring Schedule

Category	Parameter	Units	Sample Point	Minimum Sampling Frequency	Sample Type
Wastewater Influent	BOD5	mg/L lbs/day	Influent Structure	1/week	24-hour Composite
Wastewater Influent	TSS	mg/L lbs/day	Influent Structure	1/week	24-hour composite
Wastewater Effluent	Flow	MGD	UV Unit	Continuous	Measurement
Wastewater Effluent	BOD5	mg/L lbs/day	Effluent Manhole	1/week	24-hour Composite
Wastewater Effluent	TSS	mg/L lbs/day	Effluent Manhole	1/week	24-hour Composite
Wastewater Effluent	Fecal Coliform	#/100/ml	Effluent Manhole	1/week	Grab
Wastewater Effluent	pH	Standard Units	Effluent Manhole	Daily	Grab
Wastewater Effluent	Ammonia (as N)	mg/L lbs/day	Effluent Manhole	2/month	Grab

B. Sampling and Analytical Procedures

Samples and measurements taken to meet the requirements of this permit shall be representative of the volume and nature of the monitored parameters, including representative sampling of any unusual discharge or discharge condition, including bypasses, upsets, and maintenance-related conditions affecting effluent quality.

Sampling and analytical methods used to meet the water and wastewater monitoring requirements specified in this permit shall conform to the latest revision of the *Guidelines Establishing Test Procedures for the Analysis of Pollutants* contained in 40 CFR Part 136 or to the latest revision of *Standard Methods for the Examination of Water and Wastewater* (APHA), unless otherwise specified in this permit or approved in writing by the Department of Ecology (Department).

C. Flow Measurement

Appropriate flow measurement devices and methods consistent with accepted scientific practices shall be selected and used to ensure the accuracy and reliability of measurements of the quantity of monitored flows. The devices shall be installed, calibrated, and maintained to ensure that the accuracy of the measurements are consistent with the accepted industry standard for that type of device. Frequency of calibration shall be in conformance with manufacturer's recommendations and at a minimum frequency of at least one calibration per year. Calibration records shall be maintained for at least three years.

D. Laboratory Accreditation

All monitoring data required by the Department shall be prepared by a laboratory registered or accredited under the provisions of, *Accreditation of Environmental Laboratories*, Chapter 173-50 Washington Administrative Code (WAC). Flow, temperature, settleable solids, conductivity, pH, and internal process control parameters are exempt from this requirement. Conductivity and pH shall be accredited if the laboratory must otherwise be registered or accredited. Crops, soils and hazardous waste data are exempted from this requirement pending accreditation of laboratories for analysis of these media by the Department.

S3. REPORTING AND RECORDKEEPING REQUIREMENTS

The Permittee shall monitor and report in accordance with the following conditions. The falsification of information submitted to the Department shall constitute a violation of the terms and conditions of this permit.

A. Reporting

The first monitoring period begins on the effective date of the permit. Monitoring results shall be submitted monthly. Monitoring data obtained during the previous month shall be summarized and reported on a form provided, or otherwise approved, by the Department, and be received no later than the 15th day of the month following the completed monitoring period, unless otherwise specified in this permit. Priority pollutant analysis data shall be submitted no later than 45 days following the monitoring period. The report(s) shall be sent to the Department of Ecology, Southwest Regional Office, P.O. Box 47775, Olympia, Washington 98504-7775.

All lab reports providing data for organic and metal parameters shall include the following information: sampling date, sample location, date of analysis, parameter name, CAS number, analytical method/ number, method detection limit (MDL), lab practical quantitation limit (PQL), reporting units and concentration detected.

Discharge Monitoring Report forms must be submitted monthly whether or not the facility was discharging. If there was no discharge or the facility was not operating during a given monitoring period, submit the form as required with the words "no discharge" entered in place of the monitoring results.

B. Records Retention

The Permittee shall retain records of all monitoring information for a minimum of three years. Such information shall include all calibration and maintenance records and all original recordings for continuous monitoring instrumentation, copies of all reports required by this permit, and records of all data used to complete the application for this permit. This period of retention shall be extended during the course of any unresolved litigation regarding the discharge of pollutants by the Permittee or when requested by the Director.

C. Recording of Results

For each measurement or sample taken, the Permittee shall record the following information: (1) the date, exact place, method, and time of sampling; (2) the individual who performed the sampling or measurement; (3) the dates the analyses were performed; (4) who performed the analyses; (5) the analytical techniques or methods used; and (6) the results of all analyses.

D. Additional Monitoring by the Permittee

If the Permittee monitors any pollutant more frequently than required by this permit using test procedures specified by Condition S2 of this permit, then the results of this monitoring shall be included in the calculation and reporting of the data submitted in the Permittee's self-monitoring reports.

E. Noncompliance Notification

In the event the Permittee is unable to comply with any of the permit terms and conditions due to any cause, the Permittee shall:

1. Immediately take action to stop, contain and cleanup unauthorized discharges or otherwise stop the violation, and correct the problem;
2. Repeat sampling and analysis of any violation and submit the results to the Department within 30 days after becoming aware of the violation;
3. Immediately notify the Department of the failure to comply; and
4. Submit a detailed written report to the Department within 30 days (five days for upsets and bypasses), unless requested earlier by the Department. The report should describe the nature of the violation, corrective action taken and/or planned, steps to be taken to prevent a recurrence, results of the resampling, and any other pertinent information.

Compliance with these requirements does not relieve the Permittee from responsibility to maintain continuous compliance with the terms and conditions of this permit or the resulting liability for failure to comply.

S4. FACILITY LOADING

A. Design Criteria

Flows or waste loadings of the following design criteria for the permitted treatment facility shall not be exceeded:

Design Criteria	
Average flow for the maximum month:	0.20 MGD
Average dry weather flow:	0.088 MGD
Average wet weather flow:	0.126 MGD
BOD ₅ loading for maximum month:	350 lbs/day
TSS loading for maximum month:	350 lbs/day

B. Plans for Maintaining Adequate Capacity

When the actual flow or wasteload reaches 85 percent of any one of the design criteria in S4.A for three consecutive months, or when the projected increases would reach design capacity within five years, whichever occurs first, the Permittee shall submit to the Department, a plan and a schedule for continuing to maintain capacity at the facility sufficient to achieve the effluent limitations and other conditions of this permit. This plan shall address any of the following actions or any others necessary to meet this objective.

1. Analysis of the present design including the introduction of any process modifications that would establish the ability of the existing facility to achieve the effluent limits and other requirements of this permit at specific levels in excess of the existing design criteria specified in paragraph A above.
2. Reduction or elimination of excessive infiltration and inflow of uncontaminated ground and surface water into the sewer system.
3. Limitation on future sewer extensions or connections or additional wasteloads.
4. Modification or expansion of facilities necessary to accommodate increased flow or wasteload.
5. Reduction of industrial or commercial flows or waste loads to allow for increasing sanitary flow or wasteload.

Engineering documents associated with the plan must meet the requirements of WAC 173-240-060, "Engineering Report," and be approved by the Department prior to any construction. The plan shall specify any contracts, ordinances, methods for financing, or other arrangements necessary to achieve this objective.

C. Notification of New or Altered Sources

The Permittee shall submit written notice to the Department whenever any new discharge or increase in volume or change in character of an existing discharge into the sewer is proposed which: (1) would interfere with the operation of, or exceed the design capacity

of, any portion of the collection or treatment system; (2) is not part of an approved general sewer plan or approved plans and specifications; or would be subject to pretreatment standards under 40 CFR Part 403 and Section 307(b) of the Clean Water Act. This notice shall include an evaluation of the system's ability to adequately transport and treat the added flow and/or wasteload.

D. Infiltration and Inflow Evaluation

1. The Permittee shall conduct an infiltration and inflow evaluation. Refer to the U.S.EPA publication, *I/I Analysis and Project Certification*, available as Publication No. 97-03 at: Publications Office, Department of Ecology, P.O. Box 47600, Olympia, Washington 98504-7600. Plant monitoring records may be used to assess measurable infiltration and inflow.
2. A report shall be prepared which summarizes any measurable infiltration and inflow. If infiltration and inflow have increased by more than 15 percent from that found in the first report based on equivalent rainfall, the report shall contain a plan and a schedule for: (1) locating the sources of infiltration and inflow; and (2) correcting the problem.
3. The report shall be submitted by **April 15, 2006**, and **annually** thereafter.

E. Wasteload Assessment

The Permittee shall conduct an annual assessment of their flow and waste load and submit a report to the Department by **April 15, 2006**, and **annually** thereafter. The report shall contain the following: an indication of compliance or noncompliance with the permit effluent limitations; a comparison between the existing and design monthly average and (except for the first report) the percentage increase in these parameters since the last annual report. The report shall also state the present and design population or population equivalent, projected population growth rate, and the estimated date upon which the design capacity is projected to be reached, according to the most restrictive of the parameters above. The interval for review and reporting may be modified if the Department determines that a different frequency is sufficient.

S5. OPERATION AND MAINTENANCE

The Permittee shall at all times be responsible for the proper operation and maintenance of any facilities or systems of control installed to achieve compliance with the terms and conditions of the permit.

A. Certified Operator

An operator certified for at least a Class 2 plant by the state of Washington shall be in responsible charge of the day-to-day operation of the wastewater treatment plant. An operator certified for at least a Class 1 plant shall be in charge during all regularly scheduled shifts.

B. O & M Program

The Permittee shall institute an adequate operation and maintenance program for their entire sewage system. Maintenance records shall be maintained on all major electrical and mechanical components of the treatment plant, as well as the sewage system and pumping stations. Such records shall clearly specify the frequency and type of maintenance recommended by the manufacturer and shall show the frequency and type of maintenance performed. These maintenance records shall be available for inspection at all times.

C. Short-term Reduction

If a Permittee contemplates a reduction in the level of treatment that would cause a violation of permit discharge limitations on a short-term basis for any reason, and such reduction cannot be avoided, the Permittee shall give written notification to the Department, if possible, 30 days prior to such activities, detailing the reasons for, length of time of, and the potential effects of the reduced level of treatment. This notification does not relieve the Permittee of their obligations under this permit.

D. Electrical Power Failure

The Permittee is responsible for maintaining adequate safeguards to prevent the discharge of untreated wastes or wastes not treated in accordance with the requirements of this permit during electrical power failure at the treatment plant and/or sewage lift stations either by means of alternate power sources, standby generator, or retention of inadequately treated wastes. The Permittee shall maintain Reliability Class II (EPA 430-99-74-001) at the wastewater treatment plant, which requires primary sedimentation and disinfection.

E. Prevent Connection of Inflow

The Permittee shall strictly enforce their sewer ordinances and not allow the connection of inflow (roof drains, foundation drains, etc.) to the sanitary sewer system.

F. Bypass Procedures

The Permittee shall immediately notify the Department of any spill, overflow, or bypass from any portion of the collection or treatment system.

The bypass of wastes from any portion of the treatment system is prohibited unless one of the following conditions (1, 2, or 3) applies:

1. Unavoidable Bypass -- Bypass is unavoidable to prevent loss of life, personal injury, or severe property damage. "Severe property damage" means substantial physical damage to property, damage to the treatment facilities which would cause them to become inoperable, or substantial and permanent loss of natural resources which can reasonably be expected to occur in the absence of a bypass.

If the resulting bypass from any portion of the treatment system results in noncompliance with this permit the Permittee shall notify the Department in accordance with condition S3.E "Noncompliance Notification."

2. Anticipated Bypass That Has The Potential to Violate Permit Limits or Conditions -- Bypass is authorized by an administrative order issued by the Department. The Permittee shall notify the Department at least 30 days before the planned date of bypass. The notice shall contain (1) a description of the bypass and its cause; (2) an analysis of all known alternatives which would eliminate, reduce, or mitigate the need for bypassing; (3) a cost-effectiveness analysis of alternatives including comparative resource damage assessment; (4) the minimum and maximum duration of bypass under each alternative; (5) a recommendation as to the preferred alternative for conducting the bypass; (6) the projected date of bypass initiation; (7) a statement of compliance with State Environmental Policy Act (SEPA); (8) if a water quality criteria exceedence is unavoidable, a request for modification of water quality standards as provided for in WAC 173-201A-110, and (9) steps taken or planned to reduce, eliminate, and prevent reoccurrence of the bypass.

For probable construction bypasses, the need to bypass is to be identified as early in the planning process as possible. The analysis required above shall be considered during preparation of the engineering report or facilities plan and plans and specifications and shall be included to the extent practical. In cases where the probable need to bypass is determined early, continued analysis is necessary up to and including the construction period in an effort to minimize or eliminate the bypass.

The Department will consider the following prior to issuing an administrative order:

- a. If the bypass is necessary to perform construction or maintenance-related activities essential to meet the requirements of the permit.
- b. If there are feasible alternatives to bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, maintenance during normal periods of equipment down time, or transport of untreated wastes to another treatment facility.
- c. If the bypass is planned and scheduled to minimize adverse effects on the public and the environment.

After consideration of the above and the adverse effects of the proposed bypass and any other relevant factors, the Department will approve or deny the request. The public shall be notified and given an opportunity to comment on bypass incidents of significant duration, to the extent feasible. Approval of a request to bypass will be by administrative order issued by the Department under Revised Code of Washington (RCW) 90.48.120.

3. Bypass For Essential Maintenance Without the Potential to Cause Violation of Permit Limits or Conditions -- Bypass is authorized if it is for essential maintenance and does not have the potential to cause violations of limitations or other conditions of the permit, or adversely impact public health as determined by the Department prior to the bypass.

G. Operations and Maintenance Manual

The approved Operations and Maintenance Manual shall be kept available at the treatment plant and all operators shall follow the instructions and procedures of this Manual.

An Operations and Maintenance (O&M) Manual shall be prepared by the Permittee in accordance with WAC 173-240-080 and be submitted to the Department for approval. In addition to requirements of WAC 173-240-080 (1) through (5) the O&M Manual shall include:

1. Plant performance, laboratory control, NPDES reporting, and records procedures;
2. Plant and equipment maintenance procedures;
3. The treatment plant process control and monitoring schedules;
4. Emergency procedures and alarm system for plant shutdown and cleanup in event of wastewater system upset or equipment failure;
5. Specific maintenance and operational procedures for the ultraviolet disinfection system.

S6. RESIDUAL SOLIDS

A. Residual Solids Handling

Residual solids include screenings, grit, scum, primary sludge, waste activated sludge and other solid waste. The Permittee shall store and handle all residual solids in such a manner so as to prevent their entry into state ground or surface waters. The Permittee shall not discharge leachate from residual solids to state surface or ground waters.

B. Residual Solids Management Plan

The Permittee shall submit a Residual Solids Management Plan to the Department for approval no later than 90 days prior to completion of construction of the new wastewater treatment facility. Any proposed revision or modification of the Plan shall be submitted to the Department for approval. The Permittee shall comply with the plan and any modifications thereof. The Permittee shall submit an update of the Residual Solids Management Plan with the application for permit renewal by **March 1, 2010**.

S7. OUTFALL EVALUATION

The Permittee shall inspect the submerged portion of the outfall line and diffuser to document its integrity and continued function. If conditions allow for a photographic verification, it shall be included in a report. The report shall also include a detail of the outfall and diffuser ports and a profile of the receiving stream at critical conditions. The inspection report shall be submitted to the Department by **March 1, 2010**.

GENERAL CONDITIONS

G1. SIGNATORY REQUIREMENTS

All applications, reports, or information submitted to the Department shall be signed and certified.

- A. All permit applications shall be signed by either a principal executive officer or a ranking elected official.
- B. All reports required by this permit and other information requested by the Department shall be signed by a person described above or by a duly authorized representative of that person. A person is a duly authorized representative only if:
 - 1. The authorization is made in writing by a person described above and submitted to the Department, and
 - 2. The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility, such as the position of plant manager, superintendent, position of equivalent responsibility, or an individual or position having overall responsibility for environmental matters. (A duly authorized representative may thus be either a named individual or any individual occupying a named position.)
- C. Changes to authorization. If an authorization under paragraph B.2 above is no longer accurate because a different individual or position has responsibility for the overall operation of the facility, a new authorization satisfying the requirements of B.2 must be submitted to the Department prior to or together with any reports, information, or applications to be signed by an authorized representative.
- D. Certification. Any person signing a document under this section shall make the following certification:

"I certify under penalty of law, that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system or those persons directly responsible for gathering information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

G2. RIGHT OF ENTRY

The Permittee shall allow an authorized representative of the Department, upon the presentation of credentials and such other documents as may be required by law:

- A. To enter upon the premises where a discharge is located or where any records must be kept under the terms and conditions of this permit;

- B. To have access to and copy at reasonable times any records that must be kept under the terms of the permit;
- C. To inspect at reasonable times any monitoring equipment or method of monitoring required in the permit;
- D. To inspect at reasonable times any collection, treatment, pollution management, or discharge facilities; and
- E. To sample at reasonable times any discharge of pollutants.

G3. PERMIT ACTIONS

This permit shall be subject to modification, suspension, or termination, in whole or in part by the Department for any of the following causes:

- A. Violation of any permit term or condition;
- B. Obtaining a permit by misrepresentation or failure to disclose all relevant facts;
- C. A material change in quantity or type of waste disposal;
- D. A material change in the condition of the waters of the state; or
- E. Nonpayment of fees assessed pursuant to RCW 90.48.465.

The Department may also modify this permit, including the schedule of compliance or other conditions, if it determines good and valid cause exists, including promulgation or revisions of regulations or new information.

G4. REPORTING A CAUSE FOR MODIFICATION

The Permittee shall submit a new application, or a supplement to the previous application, along with required engineering plans and reports, whenever a material change in the quantity or type of discharge is anticipated which is not specifically authorized by this permit. This application shall be submitted at least 60 days prior to any proposed changes. Submission of this application does not relieve the Permittee of the duty to comply with the existing permit until it is modified or reissued.

G5. PLAN REVIEW REQUIRED

Prior to constructing or modifying any wastewater control facilities, an engineering report and detailed plans and specifications shall be submitted to the Department for approval in accordance with Chapter 173-240 WAC. Engineering reports, plans, and specifications should be submitted at least 180 days prior to the planned start of construction. Facilities shall be constructed and operated in accordance with the approved plans.

G6. COMPLIANCE WITH OTHER LAWS AND STATUTES

Nothing in the permit shall be construed as excusing the Permittee from compliance with any applicable federal, state, or local statutes, ordinances, or regulations.

G7. DUTY TO REAPPLY

The Permittee must apply for permit renewal by **March 1, 2010**.

G8. REMOVED SUBSTANCES

Collected screenings, grit, solids, sludges, filter backwash, or other pollutants removed in the course of treatment or control of wastewaters shall not be resuspended or reintroduced to the final effluent stream for discharge to state waters.

G9. TOXIC POLLUTANTS

If any applicable toxic effluent standard or prohibition (including any schedule of compliance specified in such effluent standard or prohibition) is established under Section 307(a) of the Clean Water Act for a toxic pollutant and that standard or prohibition is more stringent than any limitation upon such pollutant in the permit, the Department shall institute proceedings to modify or revoke and reissue the permit to conform to the new toxic effluent standard or prohibition.

G10. OTHER REQUIREMENTS OF 40 CFR

All other requirements of 40 CFR 122.41 and 122.42 are incorporated in this permit by reference.

G11. ADDITIONAL MONITORING

The Department may establish specific monitoring requirements in addition to those contained in this permit by administrative order or permit modification.

G12. PAYMENT OF FEES

The Permittee shall submit payment of fees associated with this permit as assessed by the Department. The Department may revoke this permit if the permit fees established under Chapter 173-224 WAC are not paid.

G13. PENALTIES FOR VIOLATING PERMIT CONDITIONS

Any person who is found guilty of willfully violating the terms and conditions of this permit shall be deemed guilty of a crime, and upon conviction thereof shall be punished by a fine of up to ten thousand dollars and costs of prosecution, or by imprisonment in the discretion of the court. Each day upon which a willful violation occurs may be deemed a separate and additional violation.

Any person who violates the terms and conditions of a waste discharge permit shall incur, in addition to any other penalty as provided by law, a civil penalty in the amount of up to ten thousand dollars for every such violation. Each and every such violation shall be a separate and distinct offense, and in case of a continuing violation, every day's continuance shall be and be deemed to be a separate and distinct violation.